P.R. No. 3803/05
Presented by Shri Shrinivas
dated 4/8/05

(4) (1)

c.f. 100/-

**IN THE HIGH COURT OF JUDICATURE AT BILASPUR: CHHATTISGARH**

**WRIT PETITION (CIVIL) No. 3692 OF 2005**

M/S. JINDAL STEEL & POWER LIMITED
KHARSIA RAOD, BEING A COMPANY
REGISTERED VIDE ITS REGISTERATION NO.
05-9913 DT. 11.6.1998
RAIGARH (CHHATTISGARH) **PETITIONERS**

**VERSUS**

1. Union of India through Secretary,
Government of India,
Department of Economic Affairs,
Ministry of Finance,
New Delhi.

2. ICICI Bank Limited,
having its office at ICICI Bank Towers,
Bandra Kurla Complex,
Mumbai-400 051,
Through its Executive Director
Dr.Nachiket Mor,

3. Union of India through the Chairman,
Central Board of Excise & Customs,
Ministry of Finance having
its office at North Block, New Delhi.

4. Commissioner of Customs (Import),
Jawahar Custom House, Nhava Sheva
Uran, Raigad,
Maharashtra

5. Commissioner of Customs (Airport & Air
Cargo),
Custom House,
Kolkata

6. Commissioner of Customs (Port),
Custom House,
Kolkata

7. Commissioner of Customs (Import)
New Custom House,
Mumbai

4/8/05
AY SINGH
Advocate
HIGH COURT

(5) (2)

8. The Additional Director General
Directorate of Revenue Intelligence
having its office at 7th Floor,
"D" Block, I.P.Bhavan,
I.P.Estate, New Delhi-110 002

9. The Joint Director (CI)
Directorate of Revenue Intelligence
having its office at 7th Floor,
"D" Block, I.P.Bhavan,
I.P.Estate, New Delhi-110 002

**WRIT PETITION UNDER ARTICLE 226 /227 OF THE CONSTITUTION OF INDIA**

(356)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

**मामला क्रमांक** ..... WP 3692/05 ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| | **22.8.2005**<br>Shri V.V.S. Murthy, Sr. Counsel with Shri R.M. Solapurkar & Shri M.P. Devnath, counsels for the petitioner.<br>Shri Thakur Vijay Singh, Assistant Solicitor General of India for respondent Nos.1 & 3 to 9.<br>The petitioner has preferred this writ petition with the prayer that a writ, order or direction in the nature of mandamus be issued commanding respondent No.1 to enable the petitioner to submit fresh certificates for the counter-signatures of the Line Ministry; respondent No.1 further restrained not to proceed with the proceedings pending before him relating to show cause notice dated 12.5.2005; respondents be directed to refund the entire amount of custom duty paid by the petitioner amounting to Rs.75.51 Lac; and any other writ, order or direction as deemed appropriate in the matter.<br>At the outset, learned Sr. Counsel Shri Murthy submitted that he is limiting his prayer to the extent that for the purpose of counter-signatures of the certificate issued by respondent No.2-Bank respondent Union of India be directed to nominate the Line Ministry as per terms of exemption notification for the petitioner's project, to this limited prayer learned Assistant Solicitor General of India has no objection, as learned Sr. Counsel for the petitioner is not pressing for other reliefs for the time being. | |

XI-HC-78

# उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

## मामला क्रमांक ..... सन् 200

### आदेश पत्रक (पूर्वानुबद्ध)

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| | Learned Sr. Counsel for the petitioner submitted that on the same line Division Bench of Allahabad High Court in Writ Petition No.896/2005 between M/s Orient Ceramics & Industries Limited Vs. Union of India & others passed the order on 26.5.2005.<br><br>Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the prayer made by learned Sr. Counsel for the petitioner appears to be just, fair and reasonable, therefore, the petition is disposed of with the direction that respondent No.1 should nominate the Line Ministry, as per the terms of the exemptions notifications for the petitioner's project. The petitioner should also be disclosed of its particulars so as to enable it to submit the certificates for counter-signatures to the said official.<br><br>Subject to the observations made above, the writ petition is disposed of.<br><br>Consequently, M.(W.)P. No.3110/05 also stands disposed of.<br><br>**Sd/-**<br>**L.C. Bhadoo**<br>**Judge** | |